



365<sup>th</sup> Judicial District Court, Maverick County, Texas, entitled *Jose Guadalupe Camarillo, Antonia Artemia Camarillo, Francisco Arturo Camarillo, Alberto Javier Camarillo, Jose Guadalupe Camarillo, Reinaldo Camarillo, Pedro Enrique Camarillo, Sonia Esperanza Camarillo, and Maria Camarillo, Individually and on Behalf of The Estate of Pedro Camarillo v. Fort Duncan Medical Center, L.P. d/b/a Fort Duncan Regional Medical Center, Dr. Robert Marquez, and United Medical Centers*. A copy of Plaintiffs' Original Petition, Request for Disclosure, and all pleadings are attached hereto as **Exhibit 1**. The United States has not been served with the Citation or Petition. Trial has not been set or held.

2. Attached hereto as **Exhibit 2** is a certification that Defendant Dr. Robert Marquez and United Medical Centers were acting within the scope of their deemed federal employment at the time of incident out of which this suit arose.

3. This Notice of Removal is made pursuant to the provisions of 42 U.S.C. § 233(c)<sup>2</sup> (civil actions or proceedings against commissioned officers or employees).

4. Pursuant to the provisions of 28 U.S.C. § 1446(d), a Notice of Filing Notice of Removal will be filed with the 365<sup>th</sup> Judicial District Court in Maverick County, Texas, a true and correct copy of which is attached hereto as **Exhibit 3**.

5. Pursuant to Local Court Rule CV-3(a), a JS 44, Civil Cover Sheet is attached hereto as **Exhibit 4**.

6. As this federal case is being initiated via removal, a Supplement to JS 44 is attached hereto as **Exhibit 5**.

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<sup>2</sup> Under 42 U.S.C. § 233(c), upon a certification by the Attorney General that the defendant was acting in the scope of his employment at the time of the incident out of which the suit arose, any such civil action or proceeding commenced in a State court shall be removed without bond **at any time before trial**.

WHEREFORE, Defendant United States of America provides this Notice that the action now pending in the 365<sup>th</sup> Judicial District Court, Maverick County, Texas against Defendants Fort Duncan Medical Center, L.P. d/b/a Fort Duncan Regional Medical Center, Dr. Robert Marquinez, and United Medical Centers and Defendant United States of America is removed to this Court.

Respectfully submitted,

**JOHN F. BASH**  
**UNITED STATES ATTORNEY**

By: /s/Faith Johnson Lowry  
**FAITH JOHNSON LOWRY**  
Assistant United States Attorney  
601 NW Loop 410, Suite 600  
San Antonio, Texas 78216-5597  
Texas Bar No. 24099560  
[faith.johnson@usdoj.gov](mailto:faith.johnson@usdoj.gov)  
Tel. (210) 384-7355  
Fax. (210) 384-7358

**ATTORNEYS FOR DEFENDANT**

**CERTIFICATE OF SERVICE**

I certify that on August 28, 2019, a true and correct copy of the foregoing Notice of Removal was electronically filed via the Court's CM/ECF system and served upon the following attorney of record via Federal Express and e-mail to:

Daniel R. Dutko  
Rusty Hardin and Associates LLP  
5 Houston Center  
1401 McKinney Street, Suite 2250  
Houston, Texas 77010

Edward J. Castillo  
Gonzalez Castillo, LLP  
1317 E. Quebec Avenue  
McAllen, Texas 78503

/s/Faith Johnson Lowry

**FAITH JOHNSON LOWRY**

Assistant United States Attorney